

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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IN RE:	*	
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ANGELA YATES,	*	Case No. 08-33892-D
	*	Chapter 13
DEBTOR.	*	

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MOTION TO ALLOW DEBTOR TO ENTER INTO LOAN MODIFICATION AGREEMENT,  
TO MODIFY PLAN AND REQUEST FOR AN EXPEDITED HEARING

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Comes now the Debtor and moves this Honorable Court to hear this matter on an expedited basis, to allow her to enter into a loan modification agreement with her mortgage creditor, Suntrust Mortgage, on the second mortgage she has on her principal residence through Suntrust, and to modify this Chapter 13 plan to delete the Suntrust ongoing second mortgage and mortgage arrearage claims. In support of this motion Debtor would respectfully state that Suntrust has agreed to enter into a loan modification agreement with a new total payment of \$453.98 which amount includes escrows, principal and interest. The new principal balance of \$75,720.24 includes all of the mortgage arrearage owed by the Debtor. The ongoing monthly mortgage note payment will be made outside of Debtor's plan.

PREMISES CONSIDERED, Debtor prays the Court to allow her to enter into the proposed loan modification agreement and for any and such other relief as this Court deems appropriate.

Respectfully submitted,

/s/ Melinda S. Benham (#011872)  
/s/ Herbert Benham III (#011403)  
Wages & Benham  
2400 Poplar Avenue, Suite 410  
Memphis, Tennessee 38112  
(901) 323-3902

Certificate of Service

I certify that on or about June 22, 2010, I duly served a copy of this Motion, together with a copy of the Notice of Electronic filing thereof, by United States Mail or by hand delivery, upon the entities listed below, excepting those entities receiving electronic notice thereof.

/s/ Herbert Benham III

Entities Served: Debtor, Chapter 13 Trustee, All Entities on Matrix